

DEC 02 2004

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To: U.S. Patent and Trademark Office
MS RCE

Facsimile: (703) 872 9306

From: Karen R. Zachow, Ph.D. – Reg. No. 46,332

Date: December 2, 2004

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Comments:

ATTORNEY DOCKET: 220002059710
GROUP ART UNIT: 1654
EXAMINER: A. Gupta
SERIAL NO.: 09/822,965
FILING DATE: March 29, 2001
INVENTOR(S): Thomas INNERARITY et al.
TITLE: METHODS AND TOOLS FOR IDENTIFYING COMPOUNDS WHICH
MODULATE ATHEROSCLEROSIS BY IMPACTING LIPID-
PROTEOGLYCAN BINDING

Papers Attached:

1. Request for Continued Examination (RCE) Transmittal (1 page)
2. Fee Transmittal (1 page + duplicate for fee processing)

DEC 02 2004

PTO/SB/30 (09-04)

Approved for use through 07/31/06, OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
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Request For Continued Examination (RCE) Transmittal Address to: MS RCE Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	Application Number	09/822,965
	Filing Date	March 29, 200
	First Named Inventor	Thomas INNEPARITY
	Art Unit	1854
	Examiner Name	A. Gupta
	Attorney Docket Number	220002059710

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.
 Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).
- a. ☒ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
- i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- ii. ☒ Consider the arguments in the Response to Final Office Action previously filed on 8/7/04, in the Supplemental Amendment After Final Action filed on 10/4/04, and in the Supplemental Amendment After Final Action filed on 11/8/04.
- b. ☒ Enclosed
- i. ☐ Amendment/Reply
- iii. ☐ Information Disclosure Statement (IDS)
- ii. ☐ Affidavit(s)/Declaration(s)
- iv. ☒ Other Fee Transmittal (1 page + duplicate for fee processing); Facsimile coversheet (1 page)
2. **Miscellaneous**
- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(f) required)
- b. ☐ Other _____
3. **Fees** The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.
- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to:
 Deposit Account No. 03-1952 I have enclosed a duplicate copy of this sheet.
 Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.
- i. ☒ RCE fee required under 37 CFR 1.17(e)
- ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17)
- iii. ☐ Other _____
- b. ☐ Check in the amount of \$ _____ enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED			
Signature	<i>Karen R. Zachow</i>	Date	December 2, 2004
Name (Print/Type)	Karen R. Zachow, Ph.D.	Registration No.	46,332

I hereby certify that this correspondence is being transmitted via facsimile to the U.S. Patent and Trademark Office at (713) 872-8306, on the date shown below.	
Dated: December 2, 2004	Signature: <i>[Signature]</i> (Grace L. Yu)

sd-233318

PTO/SB/17 (10-04v2)
Approved for use through 7/31/2006. OMB 0851-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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FEE TRANSMITTAL for FY 2005

Effective 10/01/2004. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 395.00	Complete if Known Application Number 09/822,985 Filing Date March 29, 2001 First Named Inventor Thomas INNERA CITY Examiner Name A. Gupta Art Unit 1854 Attorney Docket No. 220002059710
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METHOD OF PAYMENT (check all that apply) <input type="checkbox"/> Check <input type="checkbox"/> Credit Card <input type="checkbox"/> Money Order <input type="checkbox"/> Other <input type="checkbox"/> None <input checked="" type="checkbox"/> Deposit Account: Deposit Account Number 03-1952 Deposit Account Name Morrison & Foerster LLP The Director is authorized to: (check all that apply) <input checked="" type="checkbox"/> Charge fee(s) indicated below <input type="checkbox"/> Credit any overpayments <input checked="" type="checkbox"/> Charge any additional fee(s) or any underpayment of fee(s) <input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.	FEE CALCULATION (continued) 3. ADDITIONAL FEES <table border="1" style="width: 100%;"> <thead> <tr> <th>Large Entity Fee Code</th> <th>Large Entity Fee (\$)</th> <th>Small Entity Fee Code</th> <th>Small Entity Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>1051</td><td>130</td><td>2051</td><td>65</td><td>Surcharge - late filing fee or oath</td><td></td></tr> <tr><td>1052</td><td>50</td><td>2052</td><td>25</td><td>Surcharge - late provisional filing fee or cover sheet</td><td></td></tr> <tr><td>1053</td><td>120</td><td>1053</td><td>120</td><td>Non-English specification</td><td></td></tr> <tr><td>1012</td><td>2,620</td><td>1812</td><td>2,620</td><td>For filing a request for ex parte reexamination</td><td></td></tr> <tr><td>1804</td><td>920*</td><td>1804</td><td>920*</td><td>Requesting publication of SIR prior to Examiner action</td><td></td></tr> <tr><td>1805</td><td>1,840*</td><td>1805</td><td>1,840*</td><td>Requesting publication of SIR after Examiner action</td><td></td></tr> <tr><td>1251</td><td>110</td><td>2251</td><td>55</td><td>Extension for reply within first month</td><td></td></tr> <tr><td>1252</td><td>430</td><td>2252</td><td>215</td><td>Extension for reply within second month</td><td></td></tr> <tr><td>1253</td><td>980</td><td>2253</td><td>490</td><td>Extension for reply within third month</td><td></td></tr> <tr><td>1254</td><td>1,530</td><td>2254</td><td>765</td><td>Extension for reply within fourth month</td><td></td></tr> <tr><td>1255</td><td>2,080</td><td>2255</td><td>1,040</td><td>Extension for reply within fifth month</td><td></td></tr> <tr><td>1401</td><td>340</td><td>2401</td><td>170</td><td>Notice of Appeal</td><td></td></tr> <tr><td>1402</td><td>340</td><td>2402</td><td>170</td><td>Filing a brief in support of an appeal</td><td></td></tr> <tr><td>1403</td><td>300</td><td>2403</td><td>150</td><td>Request for oral hearing</td><td></td></tr> <tr><td>1451</td><td>1,510</td><td>1451</td><td>1,510</td><td>Petition to institute a public use proceeding</td><td></td></tr> <tr><td>1452</td><td>110</td><td>2452</td><td>55</td><td>Petition to revive - unavoidable</td><td></td></tr> <tr><td>1453</td><td>1,370</td><td>2453</td><td>685</td><td>Petition to revive - unintentional</td><td></td></tr> <tr><td>1501</td><td>1,370</td><td>2501</td><td>685</td><td>Utility issue fee (or release)</td><td></td></tr> <tr><td>1502</td><td>490</td><td>2502</td><td>245</td><td>Design issue fee</td><td></td></tr> <tr><td>1503</td><td>650</td><td>2503</td><td>320</td><td>Plant issue fee</td><td></td></tr> <tr><td>1480</td><td>130</td><td>1480</td><td>130</td><td>Petitions to the Commissioner</td><td></td></tr> <tr><td>1807</td><td>50</td><td>1807</td><td>50</td><td>Processing fee under 37 CFR 1.17(g)</td><td></td></tr> <tr><td>1808</td><td>180</td><td>1808</td><td>180</td><td>Submission of Information Disclosure Sheet</td><td></td></tr> <tr><td>8021</td><td>40</td><td>8021</td><td>40</td><td>Recording each patent assignment properly (times number of properties)</td><td></td></tr> <tr><td>1809</td><td>780</td><td>2809</td><td>395</td><td>Filing a submission after final rejection (37 CFR 1.128(a))</td><td></td></tr> <tr><td>1810</td><td>780</td><td>2810</td><td>395</td><td>For each additional invention to be examined (37 CFR 1.129(b))</td><td></td></tr> <tr><td>1801</td><td>790</td><td>2801</td><td>395</td><td>Request for Continued Examination (FCE)</td><td>395.00</td></tr> <tr><td>1802</td><td>900</td><td>1802</td><td>900</td><td>Request for expedited examination of a design application</td><td></td></tr> <tr><td colspan="5">Other fees (specify):</td><td></td></tr> <tr> <td colspan="4">*Reduced by Basic Filing Fee Paid</td> <td>SUBTOTAL (3) (\$)</td> <td>395.00</td> </tr> </tbody> </table>	Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid	1051	130	2051	65	Surcharge - late filing fee or oath		1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet		1053	120	1053	120	Non-English specification		1012	2,620	1812	2,620	For filing a request for ex parte reexamination		1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action		1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action		1251	110	2251	55	Extension for reply within first month		1252	430	2252	215	Extension for reply within second month		1253	980	2253	490	Extension for reply within third month		1254	1,530	2254	765	Extension for reply within fourth month		1255	2,080	2255	1,040	Extension for reply within fifth month		1401	340	2401	170	Notice of Appeal		1402	340	2402	170	Filing a brief in support of an appeal		1403	300	2403	150	Request for oral hearing		1451	1,510	1451	1,510	Petition to institute a public use proceeding		1452	110	2452	55	Petition to revive - unavoidable		1453	1,370	2453	685	Petition to revive - unintentional		1501	1,370	2501	685	Utility issue fee (or release)		1502	490	2502	245	Design issue fee		1503	650	2503	320	Plant issue fee		1480	130	1480	130	Petitions to the Commissioner		1807	50	1807	50	Processing fee under 37 CFR 1.17(g)		1808	180	1808	180	Submission of Information Disclosure Sheet		8021	40	8021	40	Recording each patent assignment properly (times number of properties)		1809	780	2809	395	Filing a submission after final rejection (37 CFR 1.128(a))		1810	780	2810	395	For each additional invention to be examined (37 CFR 1.129(b))		1801	790	2801	395	Request for Continued Examination (FCE)	395.00	1802	900	1802	900	Request for expedited examination of a design application		Other fees (specify):						*Reduced by Basic Filing Fee Paid				SUBTOTAL (3) (\$)	395.00
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SUBMITTED BY	Complete if applicable
Name (Print/Type) Karen R. Zachow, Ph.D.	Registration No. 46,332
Signature <i>Karen R. Zachow</i>	Telephone (858) 720 5191
	Date December 2, 2004

sd-233316

PTO/SB/M/T (10-04v2)
Approved for use through 7/12/2005, OMB 0651-0032
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE
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FEE TRANSMITTAL for FY 2005 <small>Effective 10/01/2004 Patent fees are subject to annual revision.</small>		Complete if Known	
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Application Number	09/822,985
TOTAL AMOUNT OF PAYMENT (\$) 395.00		Filing Date	March 29, 2001
		First Named Inventor	Thomas INNER ARITY
		Examiner Name	A. Gupta
		Art Unit	1654
		Attorney Docket No.	220002059710

METHOD OF PAYMENT (check all that apply)		FEE CALCULATION (continued)	
<input type="checkbox"/> Check	<input type="checkbox"/> Credit Card		
<input type="checkbox"/> Money Order	<input type="checkbox"/> Other		
<input checked="" type="checkbox"/> Deposit Account:			
Deposit Account Number: 03-1952			
Deposit Account Name: Morrison & Foerster LLP			
The Director is authorized to: (check all that apply)			
<input checked="" type="checkbox"/> Charge fee(s) indicated below			
<input checked="" type="checkbox"/> Credit any overpayments			
<input checked="" type="checkbox"/> Charge any additional fee(s) or any underpayment of fee(s)			
<input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.			

FEE CALCULATION			
1. BASIC FILING FEE			
Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)		
1001 700	2001 395	Utility filing fee	
1002 350	2002 175	Design filing fee	
1003 550	2003 275	Plant filing fee	
1004 700	2004 395	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
SUBTOTAL (1)			0.00
2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE			
Total Claims:	Extra Claims	Fee from below	Fee Paid
Independent Claims			
Multiple Dependent			
Large Entity	Small Entity	Fee Description	
Fee Code (\$)	Fee Code (\$)		
1202 18	2202 9	Claims in excess of 20	
1201 80	2201 44	Independent claims in excess of 3	
1203 300	2203 150	Multiple dependent claim, if not paid	
1204 80	2204 44	Release independent claims over original patent	
1205 18	2205 9	Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)			0.00
*or number previously paid, if greater; For Reissues, see above			

3. ADDITIONAL FEES		Fee Description		Fee Paid	
Large Entity	Small Entity	Fee Code (\$)	Fee Code (\$)		
1051 130	2051 65	1052 50	2052 25	1053 130	2053 65
1812 2,520	1012 2,520	1804 920*	1804 920*	1805 1,840*	1805 1,840*
1251 110	2251 55	1252 430	2252 215	1253 980	2253 490
1254 1,530	2254 765	1401 240	2401 170	1402 240	2402 170
1451 1,510	1451 1,510	1452 110	2452 55	1453 1,370	2453 685
1501 1,370	2501 685	1502 430	2502 245	1503 650	2503 330
1460 130	2460 130	1807 60	1807 60	1806 180	1806 180
1808 790	2809 395	1810 790	2810 395	1801 790	2801 395
1802 900	1802 900				
SUBTOTAL (3)					395.00
*Reduced by Basic Filing Fee Paid		SUBTOTAL (3)			395.00

SUBMITTED BY		(Complete if applicable)	
Name (Print/Type)	Karen R. Zachow, Ph.D.	Registration No. (Attorney/Agent)	46,332
Signature	<i>Karen R. Zachow</i>	Telephone	(658) 721-5191
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